

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RANDY CRAMER,	)	
	)	Civil Action No. 06 - 876
Plaintiff,	)	
	)	Judge Gary L. Lancaster /
v.	)	Magistrate Judge Lisa Pupo Lenihan
	)	
LENNY TRINCLISTI; WARDEN JOHN	)	
WALTON; DEPUTY WARDEN MR.	)	
CONAR; BOARD OF COMMISSIONERS,	)	
	)	
Defendants.	)	

**ORDER**

The above captioned case was initiated on July 5, 2006 by the filing of a Motion to Proceed In Forma Pauperis (Doc. No. 1) accompanied by a Complaint. It was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (Doc. No. 4), filed on October 3, 2006, recommended that, because Plaintiff failed to sign an authorization which would allow the institutional account officer to deduct a partial filing fee as required by statute, this action be dismissed without prejudice. It was also recommended that Plaintiff be permitted to re-file this action within the applicable statute of limitations period by either paying the full filing fee of \$350.00 or filing a motion to re-open together with a signed authorization permitting the withdrawal of inmate account funds. The Plaintiff was served at 3000 S. Grande Blvd, Greensburg, PA 15601. The Plaintiff was advised he was allowed ten (10) days from the date of service to file written objections to the Report and Recommendation. No objections have been

filed. After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

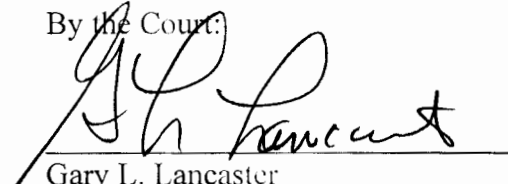
**AND NOW**, this 27 day of March, 2006;

**IT IS HEREBY ORDERED** that this action is **DISMISSED** for Plaintiff's failure to sign an authorization form allowing the inmate account officer to deduct filing fees from his prison account.

**IT IS FURTHER ORDERED** that Plaintiff is permitted to re-file this action within the applicable statute of limitations period by paying the full filing fee of \$350.00 or filing a motion to re-open together with a signed authorization form permitting the withdrawal of inmate account funds.

**IT IS FURTHER ORDERED** that the Report and Recommendation (Doc. No. 4) of Magistrate Judge Lenihan, dated October 3, 2006, is adopted as the opinion of the court.

By the Court:

  
\_\_\_\_\_  
Gary L. Lancaster  
United States District Judge

cc: Lisa Pupo Lenihan  
United States Magistrate Judge

Randy Cramer  
258-05  
3000 S. Grande Blvd  
Greensburg, PA 15601